

**STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION**

Union Pacific Railroad Company, Ashton Township	:	
Road District, Lee County, and the State of Illinois,	:	
Department of Transportation	:	
	:	T11-0001
Stipulated Agreement regarding improving public	:	
safety by constructing a connector road and then	:	
closing the Track Road highway-rail grade crossing	:	
of the Union Pacific Railroad Company's track	:	
located in Ashton township, Lee County,	:	
designated as crossing AAR/DOT #175 138K,	:	
railroad milepost 86.67.	:	

**UNION PACIFIC RAILROAD COMPANY'S
RESPONSE TO LEE COUNTY'S PETITION FOR SUPPLEMENTAL ORDER**

TO THE ILLINOIS COMMERCE COMMISSION:

NOW COMES Union Pacific Railroad Company (UP), by and through its attorney, Mack H. Shumate, Jr. and in response to the January 23, 2013 Petition filed by Lee County (County), respectfully states as follows:

1. That UP is a railway company which is authorized to do business in the State of Illinois as a common carrier by railroad.
2. UP has no objection to the County's request for an extension of time to complete the project.
3. UP concurs with the Staff of the ICC that Grade Crossing Protection Fund assistance be authorized for the additional right of way, engineering and construction costs.

WHEREFORE, UP respectfully requests:

1. That the draft Supplemental Oder attached as Exhibit 1 to the Staff's Response filed in this matter be entered without hearing.
2. For other just and appropriate relief.

Respectfully submitted,

Union Pacific Railroad Company

A handwritten signature in black ink, reading "Mack H. Shumate, Jr." in a cursive script.

By:

Senior General Attorney

Mack H. Shumate, Jr.
Union Pacific Railroad Company
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CERTIFICATE OF SERVICE

I, Mack H. Shumate, Jr., an attorney, hereby certify that on the 14th day of February, 2013, I caused the foregoing **RESPONSE TO LEE COUNTY'S PETITION FOR SUPPLEMENTAL ORDER** to be served on attorneys/parties of record by e-filing the same with the Illinois Commerce Commission and by forwarding the same to the following at the email addresses listed below, before 5:00 p.m.

Brian Vercruysse
Railroad Section
Illinois Commerce Commission
527 East Capitol Avenue
Springfield, Illinois 62701
bvercruy@icc.illinois.gov

Christine Reed, Director of Highways
Illinois Department of Transportation
Attention: Jeff Harpring
2300 South Dirksen Parkway, Room 205
Springfield, Illinois 62764
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Steve J. Haring, P.E.
County Engineer
Whiteside County Highway Department
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Morrison, IL 61270
sharing@whiteside.org

A handwritten signature in black ink, reading "Mack H. Shumate, Jr." in a cursive script.

Mack H. Shumate, Jr.